

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
ANDERSON OSMEL ABREU HERRERA, :  
:  
Plaintiff, :  
: 24-CV-9804 (VSB)  
-against- :  
:  
FRAGOSO ALEJANDRO and VIRGINIA :  
TRANSPORTATION CORP., :  
:  
Defendants. :  
:  
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**ORDER**

VERNON S. BRODERICK, United States District Judge:

On December 19, 2024, Defendants removed this case from the Supreme Court of the State of New York to the United States District Court for the Southern District of New York. (Doc. 1.) The grounds for Defendants' notice of removal was diversity jurisdiction. (*Id.* ¶¶ 8–13.) Defendants, however, fail to adequately plead the citizenship of Defendant Virginia Transportation Corp., stating only that it was incorporated in Rhode Island. (*Id.* ¶ 9.) A corporation's citizenship for diversity purposes is determined by both its state of incorporation and its principal place of business. *See* 28 U.S.C. § 1332(c)(1); *see also Hertz Corp. v. Friend*, 559 U.S. 77, 92–93 (2010) (holding that a corporation's principal place of business is its "nerve center . . . where a corporation's officers direct, control, and coordinate the corporation's activities"). Defendants are directed to amend their notice of removal to properly plead a basis for this Court's jurisdiction by February 5, 2025, or I will remand this case to state court pursuant to 28 U.S.C. § 1447(c).

SO ORDERED.

Dated: January 22, 2025  
New York, New York



Vernon S. Broderick  
United States District Judge